

Fill in this information to identify your case:

Debtor 1	First Name <u>FERMIN</u>	Middle Name <u></u>	Last Name <u>MONTAREZ</u>
Debtor 2	(Spouse, if filing) First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	<u>CENTRAL</u>		District of <u>CA</u>
Case number (If known)	<u>14-19539-BB</u>		

FILED
MAY 15 2014
CLERK U.S. BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
BY: Deputy Clerk

Check if this is an amended filing

Official Form B 3B

Application to Have the Chapter 7 Filing Fee Waived

12/13

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known).

Part 1: Tell the Court About Your Family and Your Family's Income

1. What is the size of your family?

Your family includes you, your spouse, and any dependents listed on Schedule J: Current Expenditures of Individual Debtor(s) (Official Form B 6J).

Check all that apply:

You
 Your spouse
 Your dependents

How many dependents?

Total number of people

2

2. Fill in your family's average monthly income.

Include your spouse's income if your spouse is living with you, even if your spouse is not filing.

Do not include your spouse's income if you are separated and your spouse is not filing with you.

That person's average monthly net income (take-home pay)

You \$ 851

Your spouse ... + \$ 649

Subtotal \$ 1500

- \$ _____

Total \$ 1500

3. Do you receive non-cash governmental assistance?

No
 Yes. Describe.....

Type of assistance

4. Do you expect your family's average monthly net income to increase or decrease by more than 10% during the next 6 months?

No
 Yes. Explain.....

5. Tell the court why you are unable to pay the filing fee in installments within 120 days. If you have some additional circumstances that cause you to not be able to pay your filing fee in installments, explain them.

Debtor 1 FERNAN
 First Name Middle Name

MONAPPEZI
 Last Name

Case number (if known) _____

Part 2: Tell the Court About Your Monthly Expenses

6. Estimate your average monthly expenses.

Include amounts paid by any government assistance that you reported on line 2.

\$ 1500

If you have already filled out *Schedule J, Your Expenses*, copy line 22 from that form.

7. Do these expenses cover anyone who is not included in your family as reported in line 1?

No

Yes. Identify who

8. Does anyone other than you regularly pay any of these expenses?

If you have already filled out *Schedule I: Your Income*, copy the total from line 11.

No

Yes. How much do you regularly receive as contributions? \$ _____ monthly

9. Do you expect your average monthly expenses to increase or decrease by more than 10% during the next 6 months?

No

Yes. Explain

Part 3: Tell the Court About Your Property

If you have already filled out *Schedule A: Real Property (Official Form B 6A)* and *Schedule B: Personal Property (Official Form B 6B)*, attach copies to this application and go to Part 4.

10. How much cash do you have?

Examples: Money you have in your wallet, in your home, and on hand when you file this application

Cash: \$ 100

11. Bank accounts and other deposits of money?

Examples: Checking, savings, money market, or other financial accounts; certificates of deposit; shares in banks, credit unions, brokerage houses, and other similar institutions. If you have more than one account with the same institution, list each. Do not include 401(k) and IRA accounts.

	Institution name:	Amount:
Checking account:	<u>POPULAR BANK</u>	\$ <u>5</u>
Savings account:	<u>POPULAR BANK</u>	\$ <u>70</u>
Other financial accounts:	<u>WELLS FARGO BANK</u>	\$ <u>20</u>
Other financial accounts:	<u>BANK OF AMERICA</u>	\$ <u>100</u>

12. Your home? (if you own it outright or are purchasing it)

Examples: House, condominium, manufactured home, or mobile home

Number	Street	Current value:	\$ _____
City	State	Amount you owe on mortgage and liens:	\$ _____

13. Other real estate?

Number	Street	Current value:	\$ _____
City	State	Amount you owe on mortgage and liens:	\$ _____

14. The vehicles you own?

Examples: Cars, vans, trucks, sports utility vehicles, motorcycles, tractors, boats

Make:	<u>LINCOLN</u>	Current value:	\$ <u>4000</u>
Model:	<u>NAVIGATOR</u>	Amount you owe on liens:	\$ _____
Year:	<u>2003</u>	Current value:	\$ _____
Mileage	<u>217000</u>	Amount you owe on liens:	\$ _____
Make:	_____	Current value:	\$ _____
Model:	_____	Amount you owe on liens:	\$ _____
Year:	_____	Current value:	\$ _____
Mileage	_____	Amount you owe on liens:	\$ _____

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA

**INSTRUCTIONS AND FORMS FOR REQUESTING AN ORDER TO PAY
BANKRUPTCY CASE FILING FEE IN INSTALLMENTS OR FOR FEE WAIVER:**

- (1) Application for Individuals to Pay the Filing Fee in Installments (form B 3A); or
- (2) Application to Have the Chapter 7 Filing Fee Waived (form B 3B)

If you cannot afford to pay the full fee at the time of filing your bankruptcy case, you may apply to pay the fee in installments. An "Application for Individuals to Pay the Filing Fee in Installments" (form B 3A), which is included in this package, must be completed to make that application. If your application to pay in installments is approved, you will be permitted to file your bankruptcy case, completing payment of the fee within six months.

Permission to do so is only given when the judge is persuaded by testimony given under oath that usually you cannot afford to pay the entire filing fee, and are not filing bankruptcy to forestall eviction from residential premises occupied on a month-to-month tenancy or on a tenancy at will, or for any improper purpose.

The procedure for requesting permission to pay the fee for filing a bankruptcy case in installments is as follows:

1. Tell the Intake clerk that you wish to request permission from the Court to pay the filing fee in installments.
2. Complete the "Application for Individuals to Pay the Filing Fee in Installments (form B 3A)."
3. Return the completed application form and your filing papers, i.e., petition, to the Intake filing window.
4. Be prepared to show the clerk a California driver's license, California identification card, or other similar form of identification.
5. Ask the clerk for the name of the judge who will rule on your motion, the time and location of a hearing, if a hearing is required.

IF YOU ARE REQUIRED TO APPEAR AT A HEARING AND FAIL TO APPEAR, THE MOTION WILL BE DENIED. YOU MAY NOT BE PERMITTED TO FILE ANY BANKRUPTCY CASE FOR 180 DAYS FROM THE DATE OF THE HEARING, AND YOU AND YOUR PROPERTY MAY NOT BE PROTECTED FROM THE ACTIONS OF YOUR CREDITORS IF YOU DO FILE A BANKRUPTCY CASE DURING THOSE 180 DAYS OR LATER.

The hearing on your application will take place in a courtroom and will be conducted by a United States Bankruptcy Judge.

If your application is denied, you must pay the fees in full within the time ordered by the judge or your bankruptcy case will be dismissed; and if the judge orders, you may not file another bankruptcy case for 180 days from the date of the hearing. **IF (1) YOUR CASE IS DISMISSED AND (2) YOU FILE BANKRUPTCY AGAIN WITHIN THE NEXT YEAR, IT IS LIKELY THAT YOU WILL BE TREATED AS HAVING FILED MORE THAN ONE BANKRUPTCY CASE WITHIN A 12-MONTH PERIOD. IF THIS OCCURS, IT MAY SIGNIFICANTLY REDUCE THE PROTECTION YOU WILL RECEIVE FROM THE AUTOMATIC STAY IN THE LATER BANKRUPTCY CASE.**



If your application is granted, it will almost always be necessary for you to make a first installment payment immediately after the hearing. The number of installments permitted cannot exceed four, and the final installment shall be payable not later than 120 days after the filing of the petition, unless extended by the Court for cause shown to a date not later than 180 days after the date of the filing of the petition. Failure to pay any installment when due may be grounds for dismissal of the case upon notice and hearing.

In a chapter 7 case, if you cannot afford to pay the fee to file your bankruptcy case either in full at the time of filing, or in installments, then you may request an order excusing you from paying the filing fee by completing an "Application to Have the Chapter 7 Filing Fee Waived" (form B 3B) and filing it with the Clerk of the Court along with your petition. The form is included in this package. Permission to do so is only given when the judge is persuaded by testimony given under oath that usually you cannot afford to pay the entire filing fee, and are not filing bankruptcy to forestall eviction from residential premises occupied on a month-to-month tenancy or on a tenancy at will, or for any improper purpose. A judge will decide whether you have to pay the fee.

By law, you may be excused from paying the fee only if your income is less than 150 percent of the official poverty line applicable to your family size and you are unable to pay the fee in installments. See the attached U.S. Department of Health and Human Services (DHHS) table to determine if you are eligible.

Required information. Complete all items in the application, and attach requested schedules. Then sign the application on the last page. If you and your spouse are filing a joint bankruptcy petition, you both must provide information as requested and sign the application.

The procedure for requesting an order for excusing you from paying the filing fee in a chapter 7 case is as follow:

1. Tell the clerk that you wish to request permission from the Court to be excused from paying the filing fee installments.
2. Complete an "Application to Have the Chapter 7 Filing Fee Waived (form B 3B)."
3. Return the application form and your filing papers, i.e., petition, to the Intake filing window where you obtained the installment payment information.
4. Be prepared to show the clerk a California driver's license, California identification card, or other similar form of identification.
5. Ask the clerk for the name of the judge who will rule on your motion, the time and location of a hearing, if a hearing is required.

You may submit both applications only if you believe you are eligible for both: (1) being excused from paying the filing fee in full, and (2) if the judge disagrees, paying the filing fee in installments.

If your income is greater than the amount set forth in the attached U.S. Department of Health and Human Services (DHSS) table and you can swear truthfully under oath that you cannot pay the full filing fee today, then only submit the Application to Pay Filing Fee in Installments.

150% of the HHS Poverty Guidelines for 2013* Monthly Basis			
Persons in family unit	48 Contiguous States and D.C.	Alaska	Hawaii
1	\$1,436.25	\$1,793.75	\$1,653.75
2	\$1,938.75	\$2,422.50	\$2,231.25
3	\$2,441.25	\$3,051.25	\$2,808.75
4	\$2,943.75	\$3,680.00	\$3,386.25
5	\$3,446.25	\$4,308.75	\$3,963.75
6	\$3,948.75	\$4,937.50	\$4,541.25
7	\$4,451.25	\$5,566.25	\$5,118.75
8	\$4,953.75	\$6,195.00	\$5,696.25
For each additional person add	\$502.50	\$628.75	\$577.50
* As required by section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (Pub. L. 97-35 - reauthorized by Pub. L. 105-285, Section 201 (1988)).			

150% of the HHS Poverty Guidelines for 2013* Annual Basis			
Persons in family unit	48 Contiguous States and D.C.	Alaska	Hawaii
1	\$17,235	\$21,525	\$19,845
2	\$23,265	\$29,070	\$26,775
3	\$29,295	\$36,615	\$33,705
4	\$35,325	\$44,160	\$40,635
5	\$41,355	\$51,705	\$47,565
6	\$47,385	\$59,250	\$54,495
7	\$53,415	\$66,795	\$61,425
8	\$59,445	\$74,340	\$68,355
For each additional person add	\$6,030	\$7,545	\$6,930

* As required by section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (Pub. L. 97-35 - reauthorized by Pub. L. 105-285, Section 201 (1988)).